




Speech By
Ann Leahy

MEMBER FOR WARREGO

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WORK HEALTH SAFETY AND OTHER LEGISLATION AMENDMENT BILL

 **Ms LEAHY** (Warrego—LNP) (4.16 pm): I rise to contribute to the debate on the Work Health and Safety and Other Legislation Amendment Bill 2023. It is disappointing that this bill before us is not more about workers and keeping workers safe in their workplace. Let me say at the outset that the LNP believe that the safety of people in their workplace is absolutely paramount. However, this bill is not about enhancing workers' advocacy and interests in relation to workplace health and safety matters. In fact, this legislation is a backward step when it comes to workers' health and safety.

The stated objectives of the bill are to give effect to the Queensland government's response to recommendations from the 2022 *Review of the Work Health and Safety Act 2011: final report* and particular recommendations from the 2018 *Review of the model Work Health and Safety laws: final report*, the Boland review. When we look closely, union involvement is all over these reviews.

The 2022 review was undertaken by Deirdre Swan, a former Queensland Industrial Relations Commissioner and former AWU branch vice-president, and Charles Massy, barrister and former Queensland Council of Unions policy officer. The 2018 review was undertaken by Marie Boland, a former organiser at the Australian Services Union.

The Labor government claims that this bill's purpose is to implement necessary reforms to strengthen workers' representation in relation to workplace health and safety matters in their workplaces. In fact, this bill removes a worker's right to choose who is involved in representing their interests. It empowers a Labor Party-supporting and/or affiliated trade union to barge in and represent workers on workplace health and safety matters, even in cases where such intervention by the union is opposed by the workers concerned. As well as an attack on workers' rights and their ability to choose who represents them, it is also an attack on those unions that do not financially support the ALP. This bill, in our view, is a sellout of Queensland workers in order to reward the Miles Labor government's financial and political benefactors in the trade union movement.

Mr Boothman: Payday.

Ms LEAHY: I take that interjection: it is payday.

Mr DEPUTY SPEAKER (Mr Kelly): Pause the clock. I ask the member for Theodore to return to his seat if he is going to be interjecting and his interjections are going to be taken.

Ms LEAHY: As outlined by the LNP shadow minister, the LNP will be voting against this legislation as it is clearly designed to entrench union power and influence on work sites in the guise of workplace health and safety, and it does not enhance the safety of workers. This bill is not about workers' safety or improving workplace health and safety for those workers. This bill is all about enabling a union monopoly.

The bill will broaden the rollout of employee health and safety representatives on job sites and mandate time frames for their establishment. The bill amends section 118 of the Workplace Health and Safety Act to clarify that workplace health and safety entry permit holders are permitted to remain at the workplace for the time necessary to complete the exercise of their statutory powers. This is subject to the limitation that such rights can only be exercised during the usual working hours of the workplace. On a worksite in 24/7 operation, this would allow workplace health and safety entry permit holders to stay onsite indefinitely. The bill makes it easier for workplace health and safety entry permit holders to access employee records.

The bill will also prevent companies from taking out insurance to protect themselves and their officers from liability in relation to penalties for noncompliance with workplace health and safety laws. This is equivalent to preventing a nurse from taking out professional indemnity insurance. The average person could not imagine being prevented from taking out indemnity insurance, but this bill does that. These changes are likely to incentivise parties to bring matters before the Queensland Industrial Relations Commission. It is likely that it will clog the Queensland Industrial Relations Commission without additional resourcing. This will cost taxpayers more and it will also cost the community more. It should be noted that the explanatory notes contain over five pages of discussion regarding consistency with fundamental legislative principles, reflecting the questionable motives of this bill.

I will turn to the statement of reservation provided in the committee report. I want to quote some of the things in this statement of reservation. It states—

We are particularly concerned about the glaring and shameful conflict of interest that exists where the government uses its majority in parliament to simultaneously legislate for the benefit of its financial and political benefactors ...

If a council did that they would find themselves before the CCC pretty quickly. It continues—

Specifically, the governing Labor Party benefits from large financial and in-kind election campaigning support funded by the trade union movement (both directly and via the Queensland Council of Unions), and also through third party campaigning activities undertaken by unions.

We saw some of those last weekend at the Ipswich West by-election. We saw disgraceful actions of people impersonating particular organisations and handing out illegal how-to-vote cards.

Mr Mickelberg: It should be illegal.

Ms LEAHY: It should be illegal. It continues—

Furthermore, Labor Party MPs depend upon the political patronage of trade unions for party endorsement in their respective seats, and for selection for additional ministerial and parliamentary appointments. Indeed, the decisive role of union powerbrokers in the ascension of Premier Steven Miles to his current position was extensively reported in the media. This dependence of Labor MPs upon union influence to retain their jobs is another clear conflict of interest in the case of this bill, as the bill's provisions will reward those unions with monopoly powers and new rights of entry to workplaces, whilst simultaneously disadvantaging organisations which compete with those unions by locking them out of the system.

There will not be choice for workers. It continues—

As LNP members ... we believe that workers are entitled to choice, and that assumption that 'unions know best' is paternalistic and offensive.